

**UNITED STATES BANKRUPTCY COURT  
FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In the Matter of:

DAVID LAURENCE LONG

Debtor

Chapter 13

Case No. 25-10298-BFK

**OBJECTION TO CONFIRMATION OF PLAN,  
NOTICE OF OBJECTION TO CONFIRMATION OF PLAN  
AND  
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION**

Thomas P. Gorman, Chapter 13 Trustee, has filed this objection to confirmation of your Chapter 13 Plan filed March 20, 2025. The cause for this objection is as follows:

**Violation of 11 U.S.C. §1325(a)(3) – Good Faith-**

- As is set forth in Trustee's Motion to Dismiss (Dkt. # 23) Debtor's prior case history coupled with his unfavorable financial situation at the time of this latest filing, suggest that the case and therefore this Plan, were not filed in good faith.

**Violation of 11 U.S.C. §1325(a)(6) – Feasibility**

- Debtor's monthly disposable income does not support the proposed Plan payments. Schedules I/J show Debtor's expenses exceed his income by \$5,836.97/month.
- Secured creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing has not filed a Proof of Claim but asserts in their Objection to Confirmation (Dkt. # 21) a per-petition arrearage of \$38,913.29. The Plan only provides for a \$30,000 pre-petition arrearage.
- 100% Plan appears to be underfunded as follows:

<b>FEASIBILITY:</b>	<b>Net Monthly Income</b>	
	Of debtor	700.66
	Of debtor spouse	
	Other	
	<b>Total Monthly Income</b>	700.66
	<b>Less Monthly Operating Expenses</b>	6,537.63
	<b>Available for Plan Payment</b>	-5,836.97

**Notice of Objection To Confirmation**

David Laurence Long, Case # 25-10298-BFK

<b>PERFORMANCE</b>	Amount of Plan Payment	200.00	100x2
		106,720.00	1,840x58
	Total Number of Months	60	
	<b>Total Receipts</b>		106,920.00
	<b>Disbursements Required</b>		
	Trustee	10,359.61	10.00%
	Attorney	6,750.00	
	Taxes/DSO	38,997.29	
	Secured	39,400.00	
	Unsecured	18,448.76	
	Other		
	<b>Total Disbursements</b>		113,955.66

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1. Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before twenty-one days from the service of this notice. You must mail a copy to the persons listed below.

***Attend the hearing to be held on May 8, 2025 at 1:30 p.m. in Courtroom #1 on the 2<sup>nd</sup> floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, Virginia 22314.*** If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman  
1414 Prince Street, Suite 202  
Alexandria, VA 22314

Clerk of the Court  
United States Bankruptcy Court  
200 South Washington Street  
Alexandria, VA 22314

**Notice of Objection To Confirmation**

David Laurence Long, Case # 25-10298-BFK

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: April 7, 2025

/s/ Thomas P. Gorman  
Thomas P. Gorman  
Chapter 13 Trustee  
1414 Prince Street, Suite 202  
Alexandria, VA 22314  
(703) 836-2226  
VSB 26421

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 7<sup>th</sup> day of April, 2025, served via ECF authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

David Laurence Long  
Chapter 13 Debtor  
42666 Frontier Dr  
Ashburn, VA 20148

Daniel M. Press, Esquire  
Attorney for Debtor  
Chung & Press, P.c.  
6718 Whittier Ave. Ste. 200  
McLean, VA 22101

/s/ Thomas P. Gorman  
Thomas P. Gorman